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FILED

JUN 13 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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14 Co-counsel for Defendant
15 Robert Douglas Hazen

16
17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **OAKLAND DIVISION**
20

21 UNITED STATES OF AMERICA,

22 Plaintiff,

23 v.

ROBERT DOUGLAS HAZEN and
EARL THOMAS COMBS,

Defendants.

Criminal No. CR-05-00197-CW

Noticed for Disposition on the
Calendar of The Honorable
Claudia Wilken at 2:30 p.m.,
June 13, 2005

**STIPULATED MOTION SETTING FILING DEADLINES FOR
PRE-TRIAL MOTIONS AND HEARING DATE FOR SAME**

COMES NOW Defendant Robert Douglas Hazen, by and through his undersigned counsel, who respectfully moves this Honorable Court to set a deadline for the filing of pre-trial motions, as well as the hearing date for same, as set out below. In support thereof, the defendant states as follows:

1. Defendant's counsel is engaged in a detailed review of discovery provided by the Government to-date in this case, which consists of over 10,000 documents and which reports Government investigator interviews of approximately 37 potential witnesses.

2. The indictment in this case alleges acts of conspiracy as well as aiding, procuring, counseling and filing of false U.S. income tax returns and is, by its very nature, complex as to factual basis. Additional time is needed to adequately complete discovery review, provide reciprocal discovery to the Government, interview witnesses and to prepare and file pre-trial motions in this case.

3. Assistant U.S. Attorney Thomas Moore has conferred with counsel and we have jointly agreed to a motions filing deadline for the undersigned of September 5, 2005. In this connection, we ask the Court to set a motions hearing on said motions for 2:30 p.m., Monday, September 19, 2005.

4. In recognition of Speedy Trial Act issues which necessarily arise in cases such as this, the voluminous evidence related to this case, the nature of the prosecution involving multiple charges over a 7-year period and multiple defendants, it

1 would be wishful thinking only that the defense could adequately prepare for subsequent
 2 pre-trial proceedings or for the trial itself without a reasonable amount of additional time.
 3 Therefore, Defendant stipulates to exclusion of time between June 13, 2005, and
 4 September 5, 2005, and as a basis therefor cites the inherent complexity of this case.
 5 Defendant's counsel believes that the ends of justice served outweigh the interests of the
 6 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(B)(ii).

7 WHEREFORE, Defendant respectfully requests that this Honorable Court grant
 8 this motion setting the motions filing deadline, the hearing date, and to exclude time as
 9 described above.

10
 11 Respectfully submitted,

12 MICHAEL F. ARVIN, PC

13
 14 Dated: _____

By: /s/ _____
 Michael F. Arvin
 Attorney appearing *Pro Hac Vice*
 for Defendant Robert Douglas Hazen

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 19 CONCUR:

20
 21 /s/ _____

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William J. Hagman
 for Earl Court.

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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
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17 UNITED STATES OF AMERICA,)

18 Plaintiff,)

19 v.)

20 ROBERT DOUGLAS HAZEN and)
21 EARL THOMAS COMBS,)

22 Defendants.)
23)
24)

Criminal No. CR-05-00197-CW

ORDER

THIS MATTER comes before the Court on a Stipulated Motion Setting Filing Deadlines for Pretrial Motions, and Hearing Date for Same.

HAVING REVIEWED the motion and being otherwise advised in the premises, the Court finds that good and sufficient cause supports the same, and it is therefore

ORDERED that this stipulated motion is granted, and that the defense for Robert Douglas Hazen shall file pretrial motions no later than September 5, 2005. It is further

ORDERED that this Court shall set a hearing date for such motions of September 19, 2005 at 2:30 p.m.. It is further

ORDERED that Speedy Trial Act considerations require the exclusion of time related thereto from June 13, 2005, through September 5, 2005.

DATED this 13th day of June 2005.

BY THE COURT:


CLAUDIA WILKEN
U S DISTRICT COURT JUDGE